



Sen. Jim Oberweis

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LRB098 10723 MLW 44252 a

1 AMENDMENT TO SENATE BILL 2356

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2356 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by  
5 changing Sections 1-187.001, 11-601, 11-601.5, 11-602, and  
6 11-603 as follows:

7 (625 ILCS 5/1-187.001)

8 Sec. 1-187.001. Serious traffic violation.

9 (a) A conviction when operating a motor vehicle for:

10 (1) a violation of subsection (a) of Section 11-402,  
11 relating to a motor vehicle accident involving damage to a  
12 vehicle;

13 (2) a violation of Section 11-403, relating to failure  
14 to stop and exchange information after a motor vehicle  
15 collision, property damage only;

16 (3) a violation of subsection (a) of Section 11-502,

1 relating to illegal transportation, possession, or  
2 carrying of alcoholic liquor within the passenger area of  
3 any vehicle;

4 (4) a violation of Section 6-101 relating to operating  
5 a motor vehicle without a valid license or permit;

6 (5) a violation of Section 11-403, relating to failure  
7 to stop and exchange information or give aid after a motor  
8 vehicle collision involving personal injury or death;

9 (6) a violation relating to excessive speeding,  
10 involving a single speeding charge of 26 ~~30~~ miles per hour  
11 or more above the legal speed limit;

12 (7) a violation relating to reckless driving;

13 (8) a violation of subsection (d) of Section 11-707,  
14 relating to passing in a no-passing zone;

15 (9) a violation of subsection (b) of Section 11-1402,  
16 relating to limitations on backing upon a controlled access  
17 highway;

18 (10) a violation of subsection (b) of Section 11-707,  
19 relating to driving on the left side of a roadway in a  
20 no-passing zone;

21 (11) a violation of subsection (e) of Section 11-1002,  
22 relating to failure to yield the right-of-way to a  
23 pedestrian at an intersection;

24 (12) a violation of Section 11-1008, relating to  
25 failure to yield to a pedestrian on a sidewalk; or

26 (13) a violation of Section 11-1201, relating to

1 failure to stop for an approaching railroad train or  
2 railroad track equipment or signals; or

3 (b) Any other similar violation of a law or local ordinance  
4 of any state relating to motor vehicle traffic control, other  
5 than a parking violation.

6 (c) A violation of any of these defined serious traffic  
7 offenses shall not preclude the defendant from being eligible  
8 to receive an order of court supervision under Section 5-6-1 of  
9 the Unified Code of Corrections.

10 (Source: P.A. 96-1244, eff. 1-1-11.)

11 (625 ILCS 5/11-601) (from Ch. 95 1/2, par. 11-601)  
12 Sec. 11-601. General speed restrictions.

13 (a) No vehicle may be driven upon any highway of this State  
14 at a speed which is greater than is reasonable and proper with  
15 regard to traffic conditions and the use of the highway, or  
16 endangers the safety of any person or property. The fact that  
17 the speed of a vehicle does not exceed the applicable maximum  
18 speed limit does not relieve the driver from the duty to  
19 decrease speed when approaching and crossing an intersection,  
20 approaching and going around a curve, when approaching a hill  
21 crest, when traveling upon any narrow or winding roadway, or  
22 when special hazard exists with respect to pedestrians or other  
23 traffic or by reason of weather or highway conditions. Speed  
24 must be decreased as may be necessary to avoid colliding with  
25 any person or vehicle on or entering the highway in compliance

1 with legal requirements and the duty of all persons to use due  
2 care.

3 (b) No person may drive a vehicle upon any highway of this  
4 State at a speed which is greater than the applicable statutory  
5 maximum speed limit established by paragraphs (c), (d), (e),  
6 (f) or (g) of this Section, by Section 11-605 or by a  
7 regulation or ordinance made under this Chapter.

8 (c) Unless some other speed restriction is established  
9 under this Chapter, the maximum speed limit in an urban  
10 district for all vehicles is:

- 11 1. 30 miles per hour; and
- 12 2. 15 miles per hour in an alley.

13 (d) Unless some other speed restriction is established  
14 under this Chapter, the maximum speed limit outside an urban  
15 district for any vehicle is (1) 65 miles per hour (i) for all  
16 highways under the jurisdiction of the Illinois State Toll  
17 Highway Authority, unless some other speed limit is designated,  
18 and (ii) for all or part of highways that are designated by the  
19 Department, have at least 4 lanes of traffic, and have a  
20 separation between the roadways moving in opposite directions  
21 and (2) 55 miles per hour for all other highways, roads, and  
22 streets.

23 (d-1) Unless some other speed restriction is established  
24 under this Chapter, the maximum speed limit outside an urban  
25 district for any vehicle is (1) 70 miles per hour on any  
26 interstate highway as defined by Section 1-133.1 of this Code;

1 (2) 65 miles per hour for all or part of highways that are  
2 designated by the Department, have at least 4 lanes of traffic,  
3 and have a separation between the roadways moving in opposite  
4 directions; and (3) 55 miles per hour for all other highways,  
5 roads, and streets. The counties of Cook, DuPage, Kane, Lake,  
6 Madison, McHenry, St. Clair, and Will may adopt ordinances  
7 setting a maximum speed limit on highways, roads, and streets  
8 that is lower than the limits established by this Section.

9 (e) In the counties of Cook, DuPage, Kane, Lake, McHenry,  
10 and Will, unless some lesser speed restriction is established  
11 under this Chapter, the maximum speed limit outside an urban  
12 district for a second division vehicle designed or used for the  
13 carrying of a gross weight of 8,001 pounds or more (including  
14 the weight of the vehicle and maximum load) is 55 miles per  
15 hour.

16 (e-1) (Blank).

17 (f) Unless some other speed restriction is established  
18 under this Chapter, the maximum speed limit outside an urban  
19 district for a bus is:

20 1. 65 miles per hour upon any highway which has at  
21 least 4 lanes of traffic and of which the roadways for  
22 traffic moving in opposite directions are separated by a  
23 strip of ground which is not surfaced or suitable for  
24 vehicular traffic, except that the maximum speed limit for  
25 a bus on all highways, roads, or streets not under the  
26 jurisdiction of the Department or the Illinois State Toll

1 Highway Authority is 55 miles per hour; ~~and~~

2 1.5. 70 miles per hour, upon any interstate highway as  
3 defined by Section 1-133.1 of this Code outside the  
4 counties of Cook, DuPage, Kane, Lake, McHenry, and Will;  
5 and

6 2. 55 miles per hour on any other highway.

7 (g) (Blank).

8 (Source: P.A. 96-524, eff. 1-1-10; 97-202, eff. 1-1-12.)

9 (625 ILCS 5/11-601.5)

10 Sec. 11-601.5. Driving 26 ~~31~~ miles per hour or more in  
11 excess of applicable limit.

12 (a) A person who drives a vehicle upon any highway of this  
13 State at a speed that is 26 ~~31~~ miles per hour or more but less  
14 than 35 ~~40~~ miles per hour in excess of the applicable maximum  
15 speed limit established under this Chapter or a local ordinance  
16 commits a Class B misdemeanor.

17 (b) A person who drives a vehicle upon any highway of this  
18 State at a speed that is 35 ~~40~~ miles per hour or more in excess  
19 of the applicable maximum speed limit established under this  
20 Chapter or a local ordinance commits a Class A misdemeanor.

21 (Source: P.A. 96-1002, eff. 1-1-11; 96-1507, eff. 1-27-11.)

22 (625 ILCS 5/11-602) (from Ch. 95 1/2, par. 11-602)

23 Sec. 11-602. Alteration of limits by Department. Whenever  
24 the Department determines, upon the basis of an engineering and

1 traffic investigation concerning any highway for which the  
2 Department has maintenance responsibility, that a maximum  
3 speed limit prescribed in Section 11-601 of this Chapter is  
4 greater or less than is reasonable or safe with respect to the  
5 conditions found to exist at any intersection or other place on  
6 such highway or along any part or zone thereof, the Department  
7 shall determine and declare a reasonable and safe absolute  
8 maximum speed limit applicable to such intersection or place,  
9 or along such part or zone. However, such limit shall conform  
10 with the maximum speed limit restrictions provided for in  
11 Section 11-601 of this Code ~~not exceed 65 miles per hour on a~~  
12 ~~highway or street which is especially designed for through~~  
13 ~~traffic and to, from, or over which owners of or persons having~~  
14 ~~an interest in abutting property or other persons have no right~~  
15 ~~or easement, or only a limited right or easement, of access,~~  
16 ~~crossing, light, air, or view, and shall not exceed 55 miles~~  
17 ~~per hour on any other highway.~~ Where a highway under the  
18 Department's jurisdiction is contiguous to school property,  
19 the Department may, at the school district's request, set a  
20 reduced maximum speed limit for student safety purposes in the  
21 portion of the highway that faces the school property and in  
22 the portions of the highway that extend one-quarter mile in  
23 each direction from the opposite ends of the school property. A  
24 limit determined and declared as provided in this Section  
25 becomes effective, and suspends the applicability of the limit  
26 prescribed in Section 11-601 of this Chapter, when appropriate

1 signs giving notice of the limit are erected at such  
2 intersection or other place, or along such part or zone of the  
3 highway. Electronic speed-detecting devices shall not be used  
4 within 500 feet beyond any such sign in the direction of  
5 travel; if so used in violation hereof, evidence obtained  
6 thereby shall be inadmissible in any prosecution for speeding.  
7 However, nothing in this Section prohibits the use of such  
8 electronic speed-detecting devices within 500 feet of a sign  
9 within a special school speed zone indicating such zone,  
10 conforming to the requirements of Section 11-605 of this Act,  
11 nor shall evidence obtained thereby be inadmissible in any  
12 prosecution for speeding provided the use of such device shall  
13 apply only to the enforcement of the speed limit in such  
14 special school speed zone.

15 (Source: P.A. 96-524, eff. 1-1-10.)

16 (625 ILCS 5/11-603) (from Ch. 95 1/2, par. 11-603)

17 Sec. 11-603. Alteration of limits by Toll Highway  
18 Authority. Whenever the Illinois State Toll Highway Authority  
19 determines, upon the basis of an engineering and traffic  
20 investigation concerning a toll highway under its  
21 jurisdiction, that a maximum speed limit prescribed in Section  
22 11-601 of this Chapter is greater or less than is reasonable or  
23 safe with respect to conditions found to exist at any place or  
24 along any part or zone of such highway, the Authority shall  
25 determine and declare by regulation a reasonable and safe

1 absolute maximum speed limit at such place or along such part  
2 or zone, and the speed limit shall conform with the maximum  
3 speed limit restrictions provided for in Section 11-601 of this  
4 Code not exceeding 65 miles per hour. A limit so determined and  
5 declared becomes effective, and suspends the application of the  
6 limit prescribed in Section 11-601 of this Chapter, when (a)  
7 the Department concurs in writing with the Authority's  
8 regulation, and (b) appropriate signs giving notice of the  
9 limit are erected at such place or along such part or zone of  
10 the highway. Electronic speed-detecting devices shall not be  
11 used within 500 feet beyond any such sign in the direction of  
12 travel; if so used in violation hereof, evidence obtained  
13 thereby shall be inadmissible in any prosecution for speeding.  
14 (Source: P.A. 89-444, eff. 1-25-96.)".